

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 1188 of 1997

in

MISC.CIVIL APPLICATION No 1740 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE C.K.THAKKER and  
MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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NC VYAS

Versus

STATE OF GUJARAT

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Appearance:

TANNA ASSOCIATES for Appellant.  
RESPONDENTS SERVED.

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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 1189 of 1997

in

MISC.CIVIL APPLICATION No 1739 of 1996

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JM PATEL

Versus

GPSC, SECRETARY  
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Appearance:

TANNA ASSOCIATES for Appellant.

MR RJ OZA for Respondent No. 1

RESPONDENT NOS.2 TO 5 SERVED.  
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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 1190 of 1997

in

MISC.CIVIL APPLICATIONNo 1736 of 1996  
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D D PATEL

Versus

STATE OF GUJARAT  
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Appearance:

TANNA ASSOCIATES for Appellant.

Mr.P.B.Bhatt, AGP for Respondent No. 1 and 2  
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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 1191 of 1997

in

MISC.CIVIL APPLICATIONNo 750 of 1997  
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GA PANDYA

Versus

MANAGER GOVT. PHOTO LITHO PRESS  
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Appearance:

TANNA ASSOCIATES for Appellant.

Mr.K.T.Dave, AGP for the Respondents.

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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 1192 of 1997

in

MISC.CIVIL APPLICATIONNo 1737 of 1996

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ARVINDBHAI C SHAH

Versus

UNION OF INDIA

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Appearance:

TANNA ASSOCIATES for Appellant.

SERVED for Respondent.

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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 1193 of 1997

in

MISC.CIVIL APPLICATIONNo 1223 of 1996

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J H DAVE

Versus

BANK OF BARODA

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Appearance:

TANNA ASSOCIATES for Appellant.

MR.ROSHAN M. DESAI, FOR THE RESPONDENT.

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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 1195 of 1997

in

MISC.CIVIL APPLICATION No 195 of 1997

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J K PATEL

Versus

STATE OF GUJARAT  
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Appearance:

TANNA ASSOCIATES for Appellant.  
SERVED for Respondent No. 1 & 2.  
MR RJ OZA for Respondent No. 3.  
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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 1196 of 1997

in

MISC.CIVIL APPLICATION No 1227 of 1996

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GI SANJANWALA

Versus

CENTRAL PHARMACY COUNCIL  
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Appearance:

TANNA ASSOCIATES for Appellant.  
RESPONDENTS SERVED.  
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CORAM : MR.JUSTICE C.K.THAKKER and  
MISS JUSTICE R.M.DOSHIT

Date of decision: 21/10/97

ORAL JUDGEMENT

Admitted. Learned counsels for the respondents in respective Letters Patent Appeals appear and waive service of notice of admission. The respondents in some LPAs are served but they are not present. In the facts and circumstances of the case, the matters are taken up for final hearing.

The present Letters Patent Appeals are filed against orders passed in various petitions filed in this court as also against orders passed in Misc. Civil Applications. It appears that the petitions were filed by the petitioners for certain reliefs. When the matters were called out, the counsel for the petitioner was not present as he was in other court. The learned Single Judge dismissed those petitions in default. When the applications were filed for recalling that order and/or for restoring the matters to file, the learned Single Judge observed; "I do not find any ground, muchless sufficient ground for absence of the counsel for the applicants."

Having heard the learned counsel for the parties, and in the light of the fact that the advocate was on his legs in other court, we are of the view that the appeals deserve to be allowed and are accordingly allowed. The orders passed in Special Civil Applications as well as in MCAs are hereby set aside. The petitions are restored to file. The learned Single Judge will now decide the same in accordance with law.

We may observe that we have not expressed any opinion on merits one way or other and as and when the matters will be placed before the learned Single Judge, for hearing, they will be decided on their own merits. The appeals are accordingly allowed. No order as to costs.

Dt. 21.10.1997. (C.K.THAKKER J)

(MISS R.M.DOSHIT J.)

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